IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 13293 of 1994

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PRATAPJI MOTIJI - Petitioner(s)
Versus
MANUBHAI BHIKHABHAI & 7 - Respondent(s)

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Appearance :
MR HM PARIKH for Petitioner(s) : 1,
MR AJ PATEL for Respondent(s) : 1 - 4.
RULE SERVED for Respondent(s) : 5 - 8.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 14/03/2007

ORAL JUDGMENT

1. Heard Mr.H.M. Parikh, learned counsel for the petitioner and Mr.A.J. Patel, learned counsel for the respondents.
2. From the records, it appears that the petitioner, along with his Revision Application No.TEN/BA/245/94, submitted an

application for grant of stay, the application came to be rejected on 15/7/1994, being aggrieved by the said order, the petitioner has filed the present writ application.

3. On 21/9/1995, while issuing Rule, ad-interim relief in terms of para 10(C) was granted in favour of the petitioner. Thereafter, by order dtd.9/2/1998 passed in Civil Application No.8474 of 1997, this Court directed the parties to maintain status-quo in relation to possession of the house in Survey No.778/1. The Court made it clear that there would be no interim relief in respect of the rest of the land. The said order dtd.9/2/1998 is in force for almost about nine years and the parties have not made any complaint against the continuation of said order.

4. As the interim order is in effect for almost about nine years, I think that the petition can be disposed of with a direction that the said order dtd.9/2/1998 shall remain effective till final disposal of the revision application. It is expected of the Gujarat Revenue Tribunal that it shall dispose of the Revision Application at its earliest.

5. The petition is accordingly disposed of.

(R.S. GARG, J.)

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